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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,703	01/21/2004	Huang Leping	884A.0037.U1(US)	5210
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HARRINGTON & SMITH, PC 4 RESEARCH DRIVE SHELTON, CT 06484-6212			EXAMINER HUYNH, NAM TRUNG	
			ART UNIT	PAPER NUMBER
			2617	
			MAIL DATE	DELIVERY MODE
			08/10/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/762,703

Applicant(s)

LEPING, HUANG

Examiner

Nam Huynh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/24/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. Claim 13 is objected to because of the following informalities: "mobile transceivers is listed twice on line 31. Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordman et al. (US 2002/0174364) (hereinafter Nordman) in view of Skubic et al. (US 2002/0131445) (hereinafter Skubic).

Regarding claims 1-4, 11, and 23-25, Nordman discloses a method for protecting privacy when using a Bluetooth device (title). In the scope of the invention, a user's Bluetooth device substitutes a pseudonym address for the Bluetooth Device Address (BD\_ADDR) (page 1, paragraph 6). Nordman teaches that a user can select that the

pseudonym address be retained for a duration that at least begins with an inquiry that establishes a connection with another device (enabling until a first time the transmission of a packet that depends upon a first anonymous address), and ends when that connection is torn down or otherwise terminated (page 4, paragraph 49).

However, Nordman does not explicitly disclose enabling from a second time the transmission of a radio packet that depends on a second anonymous address; and disabling between the first time and the second time, the transmission of a radio packet that depends upon either the first anonymous address or the second anonymous address. Skubic discloses a system and method for anonymous Bluetooth devices (title). In the scope of the invention a first Bluetooth device utilizes a temporary identification number to communicate with a second Bluetooth device (abstract). Skubic teaches that the first Bluetooth device receives and uses a provided temporary identification number for the length of a transaction between the first Bluetooth device and the second Bluetooth device. At some point during or after the transaction, if the temporary identification number expires during a transaction a new temporary identification number (enabling from a second time the transmission of a radio packet that depends on a second anonymous address) may be obtained in the same manner the first one was obtained (page 3, paragraph 29). The Examiner interprets the expiration of the temporary identification number as a terminated connection and therefore transmission of a radio packet is thereby disabled. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Nordman to include obtaining a new temporary identification, or

pseudonym address, when a transaction has been completed or lost, as taught by Skubic, in order to prevent the identify the presence of a particular individual using a Bluetooth device within a particular location because the temporary identification's are changed after every transaction.

Regarding claim 5, Nordman teaches that that a slave Bluetooth device is synchronized with a master Bluetooth device's clock (page 3, paragraph 27).

Regarding claim 6, Nordman teaches that the pseudonym address may be used in all the functions of the Bluetooth device including frequency hopping and L2CAP (page 4, paragraphs 54, 55).

Regarding claim 8, Nordman teaches that a FHS packet structure is used for an inquiry response packet (page 6, paragraph 87).

Regarding claims 9 and 10, Nordman teaches that the pseudonym address can be retained for a duration that at least begins with an inquiry received from another device and ends if no connection is made after the inquiry. Similarly, if the user's device initiated sending an inquiry message, the address can be retained for a duration that at least begins with the inquiry and ends if no connection is made after the inquiry (page 4, paragraph 49).

Regarding claims 12, 14-16, 18, and 21, Skubic teaches that the generation of a temporary identification number may be done on a periodically recurring basis, at random time intervals, or in response to each transaction between a first and second Bluetooth device therefore showing that the interval is adjustable (page 2, paragraph 27).

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Regarding claims 13 and 20, the limitations are rejected as applied to claim 1 and 5.

Regarding claims 17, 19, and 22, Skubic teaches that a temporary identifier may expire upon a Bluetooth device leaving the area (separations of the plurality of mobile transceivers).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam Huynh whose telephone number is 571-272-5970. The examiner can normally be reached on 8 a.m.-5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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NTH  
8/2/07

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER